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Attorneys for the United States

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Plaintiff,

vs.

LUIS DE LEON ESCOBAR

Defendants.

Case No.: 2:15 mj 00249-DJA

ORDER to Continue Preliminary
Hearing Date (Second Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou, Acting United States Attorney, Edward Veronda, Assistant United States Attorney, counsel for the United States of America and Christopher Rasmussen, Esq., counsel for defendant Luis de Leon Escobar.

THAT THE PRELIMINARY HEARING CURRENTLY SCHEDULED FOR October 18, 2021, at 4:00 p.m. before U.S. Magistrate Daniel J. Albregts be vacated and set to a time convenient for the Court, but no earlier than 60 days from the current setting.

This stipulation is entered into for the following reasons:

1. Counsel advised that he still needs time to discuss and review discovery and requests additional time to complete that review. Defense counsel and defendant will also be reviewing a written plea agreement provided by the government. Counsel needs to travel out-of-state to meet with his client.
2. Defense counsel and counsel for the government agree to the continuance.
3. The defendant is detained and agrees to the continuance.
4. Denial of this request for continuance could result in a miscarriage of justice.
5. The additional time requested by this Stipulation is excludable in computing the time from the filing of the criminal complaint through which the government must assert a criminal Information or seek an Indictment by the Grand Jury pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).
6. This is the second request for a continuance.

Dated this 15th of October, 2021.

Respectfully Submitted,

CHRISTOPHER CHIOU
Acting United States Attorney

RASMUSSEN LAW P.C.

//s// Edward G. Veronda

//s// Christopher Rasmussen

EDWARD G. VERONDA
Assistant United States Attorney

CHRISTOPHER RASMUSSEN
Counsel for Luis de Leon Escobar

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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The period within which the government may assert an Information against the defendant is hereby extended from the date of the filing of the complaint up through and including December 20, 2021.

2. Counsel advised that he still needs time for discussing and reviewing discovery and requests additional time to complete that review.

3. Both counsel for the defendant and counsel for the government agree to the continuance.

4. The defendant is detained and agrees to the continuance.

5. The additional time requested by this Stipulation is excludable in computing the time within which a trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code Section 3161(h)(7)(A), when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

6. This is the second request to continue the preliminary hearing.

For all of the above-stated reasons, the end of justice would best be served by a continuance of the preliminary hearing.

ORDER

IT IS ORDERED that the preliminary hearing currently scheduled for October 18, 2021, at 4:00 p.m. be vacated and continued to December 20, 2021, at 4:00 p.m. Courtroom 3A.

15th
DATED this ____ day of October, 2021.



UNITED STATES MAGISTRATE JUDGE
DANIEL J. ALBREGTS